

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the Office Action mailed February 21, 2008, applicant submitted an amendment filed on May 21, 2008, in which the applicant amended and requested reconsideration with respect to **claim 7**.

### ***Response to Arguments***

2. Applicant argues that the prior art cited does not disclose *always* initialize a dialog step with a shortened prompt on the part of the speech dialog system independent of user's expertise. However, after taking a further look at the Surace reference, Applicant's arguments are not persuasive. Surace teaches that the prompt rule is based on a social-psychology empirical observation that the length of prompts should become shorter within a session and across sessions, unless the user is having trouble, in which case the prompts should become longer (e.g., more detailed), column 10, lines 26-36. This suggests that the lengths start off short and becomes shorter unless the user is experience difficulty. At that time, the prompts will become longer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that Surace's invention starts with a shorter prompt based on social-psychology empirical observation, independent of the user's expertise and becomes longer as the user is having trouble, to apply the concept of team affiliation which is based on social-psychology empirical observation, to show that the user of the system is more likely to enjoy and prefer using the system if the user feels a team affiliation with the system (column 12, lines 1-22). That is, the system provides a user

friendly environment for operating the dialog system, such that the correct actions are being taken accordingly and that one will not become frustrated.

It is noted in Applicant's remarks filed November 9, 2007, page 5 that Surace teaches an expert/novice rule, however, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 7-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Surace et al. (USPN 6,144,938), hereinafter referenced as Surace in view of obviousness.

Regarding **claim 7**, Surace discloses a method for user-adaptive dialog guidance for a speech dialog system (dialog interaction; column 3, lines 62-66), in which a speech prompt is output by the speech dialog system (prompt is selected for output; column 10, lines 60-64), wherein in response to this the speech dialog system waits for an

utterance by the system user, for which purpose a speech recognition system is activated in order to understand the utterance by the user (includes terms that are recognized by voice user interface; column 10, lines 60-64), wherein the system differentiates inexperienced (novice) and experienced users (expert; column 9, lines 3-24) and outputs a detailed prompt to inexperienced users (prompts become longer), while it uses a shortened prompt for experienced users (prompts become shorter), characterized in that a dialog step with a shortened prompt is initialized on the part of the speech dialog system (prompts should become shorter), after which a detailed prompt is output if there is no utterance by the system user in response to the shortened prompt after a specific time (column 10, lines 26-36 with appropriate length; column 9, lines 3-24 and columns 25-26), but does not specifically teach always initializing a dialog step with a shortened prompt on the part of the speech dialog system independent of a user's expertise.

However, Surace teaches that the prompt rule is based on a social-psychology empirical observation that the length of prompts should become shorter within a session and across sessions, unless the user is having trouble, in which case the prompts should become longer (e.g., more detailed), column 10, lines 26-36. This suggests that the lengths start off short and becomes shorter unless the user experiences difficulty. At that time, the prompts will become longer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that Surace's invention starts with a shorter prompt based on social-psychology empirical observation, independent of the user's expertise and becomes longer as the user is having trouble,

to apply the concept of team affiliation which is based on social-psychology empirical observation, to show that the user of the system is more likely to enjoy and prefer using the system if the user feels a team affiliation with the system (column 12, lines 1-22). That is, the system provides a user friendly environment for operating the dialog system, such that the correct actions are being taken accordingly and that one will not become frustrated.

Regarding **claim 8**, Surace discloses a method wherein the shortened prompt occurs in the form of a short audible signal (length of prompts should become shorter; column 10, lines 26-36).

Regarding **claim 9**, Surace discloses a method wherein if the system user repeatedly fails to make an utterance in response to the shortened prompt (having trouble), the time period for the speech recognition timeout after which a detailed speech output occurs is shortened (column 10, lines 26-63 with column 22, lines 50-60).

Regarding **claim 10**, Surace discloses a method wherein the time period for the speech recognition system timeout is shortened as the number of instances in which there is no utterance in response to the shortened prompt (user has not provided a response) increases and occurs in a plurality of stages (column 22, lines 50-60).

Regarding **claim 11**, Surace discloses a method wherein if the system user already responds to the shortened prompt (lengths of prompts become shorter) the time period for the speech recognition system timeout is prolonged (column 10, lines 26-36 with column 22, lines 50-60).

Regarding **claim 12**, Surace discloses a method wherein the speech dialog

system is configured in such a way that the system user can interrupt the outputting of the prompt by prematurely inputting a speech utterance (interrupt/barge-in; column 7, lines 48-61).

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAKIEDA R. JACKSON whose telephone number is (571)272-7619. The examiner can normally be reached on Monday-Friday from 5:30am-2:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRJ  
June 6, 2008  
/David R Hudspeth/  
Supervisory Patent Examiner, Art Unit 2626